



PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kazunori KAGAWA et al.

Group Art Unit: 3683

Application No.: 09/736,440

Examiner: M. Graham

Filed: December 15, 2000

Docket No.: 108143

For: BRAKING PRESSURE CONTROL APPARATUS CAPABLE OF SWITCHING
BETWEEN TWO BRAKE OPERATING STATES USING POWER-OPERATED AND
MANUALLY OPERATED PRESSURE SOURCES, RESPECTIVELY

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

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APR 22 2002

GROUP 3600

Sir:

In reply to the Election of Species Requirement mailed March 28, 2002, Applicants provisionally elect the Species of Figures 15-20. At least claims 1, 22, 23, 37-42, 44-52 and 56 read on the Species of Figures 15-20. Claims 1, 22 and 23 are generic to all of the species. This election is made with traverse.

The listing of the species included in the Election of Species Requirement is incorrect. The following is a correct list of the species included in this application:

Species of Figs. 1-4

Species of Figs. 5-7

Species of Fig. 8

Species of Fig. 9

Species of Fig. 10

Species of Fig. 11

Species of Fig. 12

Species of Figs. 13 and 14

Species of Figs. 15-20

Species of Figs. 21-24

Species of Fig. 25.

It is respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one Group of species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Election of Species Requirement and to examine all the claims in this application.

Respectfully submitted,



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Date: April 22, 2002

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